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असाधारण

EXTRAORDINARY

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PART II — Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on 25th July, 2003:—

BILL NO. 44 OF 2003

A Bill further to amend the Advocates Act, 1961.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. This Act may be called the Advocates (Amendment) Act, 2003.
2. Section 16 of the Advocates Act, 1961 (hereinafter to be referred to as the principal Act) shall be omitted.
3. In section 17 of the principal Act,—
 - (i) sub-section (2) shall be omitted,
 - (ii) in sub-section (3),—
 - (a) the words 'each part of' shall be omitted;
 - (b) clause (b) shall be omitted;
 - (c) for clause (d), the following shall be substituted:—

“(d) the seniority of any other person who, on or after the appointed day, is admitted as an advocate shall be determined by the date of such admission.”
4. In section 23 of the principal Act, sub-section (5) shall be omitted.

Short title.

Omission of section 16.

Amendment of section 17.

Amendment of section 23.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to implement the recommendation of the Supreme Court Bar Association expressed in its resolution dated 8 December, 2000 which reads as under:—

“Resolved that the Government is requested to amend the Advocates Act, 1961 by deleting section 16 of the said Act and protect the independence, dignity and solidarity of the fraternity of Advocates.”

An independent Bar can be built and maintained only if it is ensured that advocates are above any expectation of reward or recognition from the Presiding Judges. Section 16 of the Advocates Act works against this principle. Moreover for the proper administration of Justice, it is necessary to ensure that there are no class divisions amongst advocates. All advocates form one class with equal right of audience before all courts. In any stratified class conscious Bar and Bench, the designated Senior Advocates command a better audience subjecting the other advocates not so designated to a disability. The works against the equal dispensation of Justice to all the clients.

Therefore, it is felt necessary to delete section 16 of the Advocates Act, 1961 and to effect some consequential amendments in this Act.

NEW DELHI;
April 16, 2003.

T. M. SELVAGANAPATHI.

BILL NO. 26 OF 2003

A Bill to provide for the constitution of a Welfare Fund in every State and Union territory for the benefit of Working Journalists and other Non-Journalist Media Employees and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Working Journalists' and other Non-Journalist Media Employees' Welfare Fund Act, 2003.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification, appoint, and different dates may be appointed for different provisions of this Act and for different States, and any reference in any such provision to the commencement of the Act shall be construed in relation to any State as a reference to the coming into force of that provision in that State.

Short title,
extent and
commence-
ment.

Definitions.

2. In this Act, unless the context otherwise requires:—

(a) "appropriate Government" means,—

(i) in the case of a State specified in the First Schedule to the Constitution, the State Government;

(ii) in the case of a Union territory specified in the First Schedule to the Constitution, the Central Government;

(b) "Chairperson" means the Chairperson of the Trustee Committee referred to in clause (a) of sub-section (1) of section 9;

(c) "chartered accountant" means a chartered accountant as defined in clause (b) of sub-section (1) of section 2 of the Chartered Accountant Act, 1949 and who has obtained a certificate of practice under sub-section (1) of section 6 of that Act; 38 of 1949.

(d) "dependent" means the spouse, parents or minor children of a member of the Fund;

(e) "employee" means a working journalist or a non-journalist employed in a media establishment;

(f) "Fund" means the "Working Journalists and other Non-Journalist Media Employees' Welfare Fund" constituted under sub-section (1) of section 3;

(g) "insurer" shall have the meaning assigned to it in clause (9) of section 2 of the Insurance Act, 1938; 4 of 1938.

(h) "media establishment" shall include a newspaper establishment as defined in clause (d) of section 2 of the Working Journalists and other Newspaper Employees (Conditions of Service) And Miscellaneous Provisions Act, 1955, any television network or any such establishment as may be for the production and broadcasting of the programmes through radio or television; 45 of 1955.

(i) "member of the Fund" means a working journalist or a non-journalist media employee admitted to the benefits of the Fund and who continues to be a member thereof under the provisions of this Act;

(j) "notification" means a notification published in the official Gazette of the appropriate Government and the expression "notified" shall be construed accordingly;

(k) "non-journalist media employee" means any person, other than a working journalist, employed to do any work in, or in relation to, any media establishment;

(l) "prescribed" means prescribed by rules made under this Act;

(m) "scheduled bank" shall have the meaning assigned to it in clause (e) of section 2 of the Reserve Bank of India Act, 1934; 2 of 1934.

(n) "State" means a State specified in the First Schedule to the Constitution and shall include a Union territory;

(o) "Trustee Committee" means the Working Journalists' And other Non-journalist Media Employees' Welfare Fund Trustee Committee established under sub-section (1) of section 8;

(p) "working journalist" means a person whose principal avocation is that of a journalist and includes an editor, a leader-writer, feature-writer, sub-editor, reporter, correspondent, anchor, cartoonist, or calligraphist, but does not, include any such person who is employed mainly in a managerial or administrative capacity; and

(q) words and expressions used and not defined in this Act but defined in the Working Journalists And other Newspaper Employees (Conditions of Service) And Miscellaneous Provisions Act, 1955 (Act No. 45 of 1955) shall have the meanings respectively assigned to them in that Act.

CHAPTER II

CONSTITUTION OF WORKING JOURNALISTS' AND OTHER NON-JOURNALIST
MEDIA EMPLOYEES' WELFARE FUND

3. (1) The appropriate Government shall by notification constitute a fund to be called the "Working Journalists' and other Non-Journalist Media Employees' Welfare Fund".

Working
Journalists'
And other
Non-
Journalist
Media
Employees'
Welfare
Fund.

(2) There shall be credited to the Fund:—

(a) any grant which may be made by the Central Government or a State Government to the Fund;

(b) any sums borrowed under section 17;

(c) all sums collected under sub-sections (3), (4), (6) and (10) of section 22;

(d) all sums received from the Life Insurance Corporation of India or any other insurer on the death or disablement of any member of the Fund under any Group Insurance Policy under section 7;

(e) any profit, dividend, refund or any other amount received from the Life Insurance Corporation of India or any other insurer in respect of policies of Group Insurance of the members of the Fund;

(f) any interest or dividend or other return on any investment made out of any part of the Fund; and

(g) all voluntary donations or contribution received from any association, firm or individual.

(3) The Central Government shall contribute to the Fund such grants as may be necessary to carry out the purposes of the Act and an annual grant of an amount equal to not less than five per cent of the amount collected by the Fund under sub-sections (3) and (4) of section 22 from the members of the Fund.

(4) A State Government shall contribute to the Fund such grant, not being less than ten per cent of the sums payable under section 5, as it may deem fit.

(5) All amounts due and payable under this Act and all expenditure relating to the management and administration of the Fund shall be paid out of the Fund.

4. The Fund shall vest in and be held by the Trustee Committee and subject to the provisions of this Act, shall be applied by the Trustee Committee for the benefit and welfare of the working journalists and other non-journalist media employees and for the purposes of this Act.

Vesting and
Application of
Fund.

5. (1) Every member of the Fund shall be entitled to,—

(a) such stipend or pension, as may be prescribed, on his ceasing to be a working journalist or a non-journalist media employee who has been a member of the Fund for not less than five years;

(b) such ex-gratia grant or relief, as may be prescribed, on his suffering any injury or disability in the course of his duty.

(2) The nominee or the legal heir of a member of the Fund shall be entitled to such ex-gratia grant or relief as may be prescribed on the death of a member in the course of his duty.

Pension and
ex-gratia
grant or
relief to
every
member of
the Fund.

6. The Trustee Committee, on an application made to it by a member of the Fund, and after being satisfied about the genuineness of the claim:—

(a) may allow ex-gratia grant to such member from the Fund:—

(i) in the case of his hospitalisation or involving major surgical operation; or

Ex-gratia
grants and
loans to
members of
the Fund.

(ii) if he is suffering from tuberculosis, leprosy, paralysis, cancer, unsoundness of mind or from such other serious disease or disability;

(b) may advance such loan on such terms and conditions as the Trustee Committee may deem fit, for a purpose as may contribute towards the welfare of the member of the Fund or his family.

Group Life Insurance for members of the Fund and other benefits.

7. The Trustee Committee may, for the welfare of the members of the Fund,—

(a) obtain, from the Life Insurance Corporation of India or any other insurer, policies of Group Insurance on the life of the members of the Fund;

(b) provide, in such manner as may be prescribed, for medical and education facilities for the members of the Fund and their dependents;

(c) provide monies to the members of the Fund for the purchase of books or necessary electronic items;

(d) provide monies to construct or maintain common facilities for the members of the Fund;

(e) provide funds for any other purpose which the Trustee Committee may specify; and

(f) provide such other benefits as may be prescribed.

CHAPTER III

ESTABLISHMENT OF TRUSTEE COMMITTEE

Establishment of Trustee Committee.

8. (1) With effect from such date as the appropriate Government may, by notification, appoint in this behalf, there shall be established a Trustee Committee to be called the "Working Journalists and other Non-Journalist Media Employees' Welfare Fund Trustee Committee."

(2) The Trustee Committee shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and shall, by the said name, sue and be sued.

Composition of Trustee Committee.

9. (1) Every Trustee Committee shall consist of:—

(a) a chairperson;

(b) two Working Journalists to be elected from among the Working Journalists who are members of the Fund;

(c) two non-journalist media employees to be elected from among the non-journalist media employees who are members of the Fund;

(d) one Member of Parliament from the State to be elected from among the total members of Parliament from the State;

(e) one Member of the State Legislature to be elected from among the total members of the State Legislature;

(f) two members to be nominated by the appropriate Government representing eminent Journalist Organisations;

(g) two ex-officio members as under:—

(i) the Secretary to the appropriate Government in its Law Department or Ministry;

(ii) the Secretary to the appropriate Government in its Department or Ministry of Social Welfare; and

(h) a Secretary to the Trustee Committee appointed under sub-section (4).

(2) Election of the members specified in clauses (b) and (c) shall be held in the manner as may be prescribed.

(3) Whenever the Trustee Committee is constituted or reconstituted the members of the Trustee Committee present at the meeting convened for the purpose shall elect one from amongst themselves, save and except the Secretary to the Trustee Committee, as the Chairperson of the Trustee Committee.

(4) The Secretary to the Trustee Committee shall be a person not below the rank of Deputy Secretary in the State to be appointed by the appropriate Government in consultation with the Trustee Committee.

(5) The members of the Trustee Committee shall be appointed by the appropriate Government by notification in the official Gazette.

10. (1) Every member of the Trustee shall hold office for a period not exceeding three years from the date on which he enters upon his office.

Term of
Office.

(2) The Chairperson elected under sub-section (3) of section 9 shall hold office for a period not exceeding three years from the date on which he enters upon his office.

(3) The Secretary to the Trustee Committee shall hold office for a period not exceeding three years from the date on which he enters upon his office.

11. (1) The appropriate Government shall remove from office the Chairperson or any member of the Trustee Committee who,—

Disqualifica-
tion and re-
moval of
Chairperson
or Member of
Trustee Com-
mittee.

(a) is, or at any time has been, adjudged as an insolvent; or

(b) has become physically or mentally incapable of acting as the Chairperson or a Member of the Trustee Committee; or

(c) has been convicted of an offence, which in the opinion of the appropriate Government, involves moral turpitude; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Chairperson or a member of the Trustee Committee; or

(e) has abused his position as to render his continuation in office detrimental to the public interest; or

(f) is, or at any time has been, absent without leave of the Trustee Committee for more than three consecutive meetings of the Trustee Committee :

Provided that the Trustee Committee may, on sufficient grounds condone the absence of such Chairperson or Member.

12. (1) The Chairperson referred to in clause (a) of sub-section (1) of section 9 may resign his office by giving two months' notice in writing to the Secretary to the Trustee Committee and on such resignation being accepted by the Trustee Committee, such Chairperson shall vacate his office.

Resignation
by Chairper-
son and Mem-
bers of Trustee
Committee.

(2) A member elected under clause (b), (c), (d) or (e) of sub-section (1) of section 9 may resign his office by giving one month's notice in writing to the Secretary to the Trustee Committee and on such resignation being accepted by the Trustee Committee, such Member shall vacate his office.

(3) A member nominated under clause (f) of sub-section (1) of section 9 may resign his office by giving one month's notice to the appropriate Government concerned and on such resignation being accepted by the said Government such Member shall vacate his office.

13. (1) Any vacancy in the office of the Chairperson shall be filled up, as soon as may be, by the members of the Trustee Committee present at the meeting convened for the purpose and the Chairperson so elected shall hold office only so long as the Chairperson in

Filling up of
Casual Vacan-
cies.

whose place he is elected would have been entitled to hold office if the vacancy had not accrued.

(2) Any vacancy in the office of a member elected under clauses (b) to (e) of sub-section (1) of section 9 shall be filled up, as soon as may be, by the concerned electorate and the Member so elected shall hold office for the remaining period of the Member in whose place he has been elected.

(3) Any vacancy in the office of a member nominated under clause (f) of sub-section (1) of section 9 shall be filled up, as soon as may be, by the appropriate Government and the Member so nominated shall hold office for the remaining period of the member in whose place he has been nominated.

Vacancies etc.
not to invali-
date proceed-
ings of Trustee
Committee.

14. No act or proceeding of the Trustee Committee shall be invalid by reason of—

- (a) any vacancy in, or any defect in the constitution of the Trustee Committee; or
- (b) any defect or irregularity in the election or nomination of a person acting as the Chairperson or a member of the Trustee Committee; or
- (c) any irregularity in the procedure of the Trustee Committee not affecting the merits of the case.

Meetings of
Trustee Com-
mittee.

15. (1) The Trustee Committee shall meet at least once in every three calendar months and at least four such meetings shall be held in every year to transact business under this Act and the rules made thereunder.

(2) Four members of the Trustee Committee shall form the quorum for a meeting of the Trustee committee.

(3) The Trustee Committee may, subject to the approval of the appropriate Government make rules governing the procedure and conduct of business at its meetings.

Functions of
Trustee Com-
mittee.

16. (1) Subject to the provisions of this Act the Trustee Committee shall administer the fund.

(2) Without prejudice to the generality of the provisions contained in sub-section (1), the Trustee Committee shall—

- (a) hold the amounts and assets belonging to the fund in Trust;
- (b) receive applications for admission or readmission to the fund, and dispose of such application within ninety days from the date of receipt thereof;
- (c) receive applications from the members of the fund, their nominees or legal heirs, as the case may be, for payment out of the fund, conduct such enquiry as it deems necessary and dispose of the applications within three months from the date of receipt thereof;
- (d) record in the minute book of the Trustee Committee; its decisions on the applications;
- (e) pay to the members of the fund or their nominees or legal heirs, as the case may be, their dues under this Act;
- (f) send such periodical and annual reports as may be prescribed, to the appropriate Government;
- (g) communicate to the applicants by registered post with acknowledgement due or through electronic mode, the decisions of the Trustee Committee in respect of applications for admission or re-admission to the fund or claims to the benefit of the fund; and

(h) do such other acts as are, or may be, required to be done under this Act and the rules made thereunder.

17. (1) The Trustee Committee may, with the prior approval of the Central Government borrow, from time to time, any sum required for carrying out the purposes of this Act.

Borrowings
and invest-
ments.

(2) The Trustee Committee shall deposit all monies and receipts forming part of the fund in any scheduled bank or invest the same in debt instrument of any Corporation owned or controlled by the Central or State Government or in loans floated by the Central or State Government or in any other manner as it may deem fit, with the prior approval of the Central Government.

18. (1) The Trustee Committee shall maintain proper accounts and other relevant records and prepare an annual statement of accounts and annual report in such manner as may be prescribed.

Accounts and
Audit.

(2) The accounts of the Trustee Committee shall be audited annually by a Chartered Accountant appointed by the appropriate Government.

(3) The accounts of the Trustee Committee as audited by the Chartered Accountant together with his audit report shall be forwarded to the Central and State Governments by that Committee and the Central Government may issue such directions, as it may deem fit, to the Trustee Committee in respect thereof.

(4) The Trustee Committee shall comply with the directions issued by the Central Government.

(5) The Trustee Committee shall pay from the fund the charges for the audit as may be fixed by the appropriate Government.

(6) The annual statement of accounts and the annual report shall be laid before each House of Parliament and before each House of the State Legislatures concerned where it consists of two Houses or where such Legislature consists of one House, before that House, at the earliest.

19. The Secretary of the Trustee Committee shall:—

Powers and
duties of Sec-
retary.

(a) be the Chief executive authority of the Trustee Committee and responsible for carrying out its decisions;

(b) represent the Trustee Committee in all suits and proceedings for and against the Trustee Committee;

(c) authenticate by his signature all decisions and instruments of the Trustee Committee;

(d) operate bank account of the Trustee Committee jointly with the Chairperson;

(e) convene meetings of the Trustee Committee and prepare minutes of such meetings;

(f) attend meetings of the Trustee Committee with all the necessary records and information;

(g) maintain such forms, registers and other records as may be prescribed from time to time and do all correspondence relating to the Trustee Committee;

(h) prepare an annual statement of business transacted by the Trustee Committee during a financial year; and

(i) do such other acts as are or may be directed by the Trustee Committee and the appropriate Government.

Travelling and daily allowances to Chairperson and Members of Trustee Committee.

Appeals against decision or order of Trustee Committee.

20. The Chairperson and the members of the Trustee Committee shall be entitled to be paid such travelling and daily allowances as may be prescribed.

21. (1) An appeal against any decision or order of the Trustee Committee shall lie to the appropriate Government.

(2) The appeal shall be in the prescribed form and shall be accompanied by a copy of the decision or order appealed against.

(3) The appeal shall be filed within thirty days from the receipt of the decision or order appealed against.

CHAPTER IV

MEMBERSHIP AND MEMBERS OF THE FUND

Membership in Fund.

22. (1) Every working journalist and every other non-journalist media employee in a State shall be entitled to apply, in such form as may be prescribed, for membership of the 'Working Journalists and other Non-Journalist Media Employees' Welfare Fund' constituted in that State by the appropriate Government under sub-section (1) of section 3.

(2) On receipt of an application under sub-section (1), the Trustee Committee shall make such inquiry as it deems fit and either admit the applicant to the membership of the Fund or, for reasons to be recorded in writing, reject the application:

Provided that no order rejecting an application shall be passed unless the applicant has been given an opportunity of being heard.

(3) Every applicant shall pay an application fee of two hundred rupees along with the application to the account of the Trustee Committee.

(4) Every member of the fund shall pay an annual subscription of fifty rupees to the fund on or before the 31st day of March every year:

Provided that every person, who makes an application under sub-section (1), shall pay his first annual subscription within three months of his becoming a member of the fund:

Provided further that a senior working journalist or a senior non-journalist media employee, as determined on the basis of his approximate annual income by the rules made under this Act, shall pay an annual subscription, not being more than one thousand rupees, as prescribed.

(5) Any member of the Fund who fails to pay the annual subscription for any year before the 31st day of March of that year, shall be liable to be removed from the membership.

(6) A member of the Fund removed from the membership of the fund under sub-section (5) may be re-admitted to the fund, on payment of arrears alongwith re-admission fee of ten rupees within six months from the date of such removal.

(7) Every member of the Fund shall, at the time of admission to the membership in the Fund, make nomination conferring on one or more of his dependents the right to receive, in the event of his death, any amount payable to the members under this Act.

(8) If a member of the Fund nominates more than one person under sub-section (7), he shall specify in the nomination, the amount or share payable to each of the nominee.

(9) A member of the Fund may, at any time cancel a nomination by sending a notice in writing to the Trustee Committee.

(10) Every member of the Fund, who cancels his nomination under sub-section (9), shall make a fresh nomination alongwith a registration fee of rupees five.

(11) Every member of the Fund who ceases to be a working journalist or other non-journalist media employee shall, within fifteen days of such cessation, intimate the fact to the Trustee Committee and if any member of the fund fails to do so without sufficient reason, the Trustee Committee may reduce, in accordance with such principles as may be prescribed, the amount payable to the member under this Act.

23. (1) The interest of any member in the Fund, or the right of a member of the Fund or his nominee or legal heir to receive any amount from the Fund, shall not be assigned, alienated or charged and shall not be liable to attachment under any decree or order of any court, tribunal or other authority.

Restriction on alienation, attachment, etc. of interest of Member in Fund.

(2) No creditor shall be entitled to proceed against the Fund or the interest therein of any member of the fund or his nominee or legal heir.

Explanation:— For the purpose of this section, "creditor" includes the State or an official assignee or official receiver appointed under the law relating to insolvency for the time being in force.

CHAPTER V

MISCELLANEOUS

43 of 1961.

24. Notwithstanding anything contained in the Income-tax Act, 1961 or any other enactment for the time being in force relating to tax, profits or gains, the income accrued to the fund constituted under sub-section (1) of section 3 shall be exempted from income-tax.

Exemption from income-tax.

43 of 1961.

25. Notwithstanding anything contained in the Income-tax Act, 1961 all voluntary donations made to the fund shall qualify for such rebate or deductions from the income-tax payable by the donee, as may be prescribed.

Rebate or deductions from income-tax.

26. No such prosecution or legal proceedings shall lie against the appropriate Government or the Trustee Committee or the Chairperson or a member or the Secretary of the Trustee Committee or any person for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Protection of action taken in good faith.

5 of 1908.

27. The Trustee Committee and the appropriate Government shall, for the purpose of any enquiry under this Act, have the same powers as are vested in a civil court while trying a suit under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—

Power to summon witnesses and take evidence.

(a) enforcing the attendance of any person or examining him on oath;

(b) requiring the discovery and production of documents;

(c) receiving evidence on oath;

(d) issuing commission for the examination of witnesses; and

(e) any other matter which may be prescribed.

28. (1) If at any time the appropriate Government is of the opinion:—

Power of appropriate Government to supersede Trustee Committee.

(a) that on account of circumstances beyond the control of the Trustee Committee, it is unable to discharge the functions or perform the duties imposed on it by or under the provisions of this Act; or

(b) that the Trustee Committee has persistently defaulted in complying with any direction given by the appropriate Government under this Act or in the discharge of the functions or performance of the duties imposed on it by or under the provisions of this Act; or

(c) that circumstances exist which render it necessary in the public interest so to do,

the appropriate Government may by notification and for reasons to be specified therein, supersede the Trustee Committee for such period not exceeding six months, as may be specified in the notification and appoint in consultation with the Chief Justice of the High Court having jurisdiction, a Judge of the High Court to be the Comptroller of the Trustee Committee:

Provided that before issuing any such notification, the appropriate Government shall give a reasonable opportunity to the Trustee Committee to make representation against the proposed supersession and shall consider the representation, if any, of the Trustee Committee.

(2) upon the publication of a notification under sub-section (1) superseding the Trustee Committee:—

(a) the Chairperson, members and the Secretary of the Trustee Committee shall, as from the date of supersession, vacate their office as such;

(b) all powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Trustee Committee shall, until the Trustee Committee is reconstituted under sub-section (3), be exercised and discharged by the Controller of the Trustee Committee; and

(c) all properties and fund owned by the Trustee Committee shall, until the Trustee Committee is reconstituted under sub-section (3), vest in the appropriate Government.

(3) On or before the expiration of the period of supersession specified in the notification issued under sub-section (1), the appropriate Government shall reconstitute the Trustee Committee by fresh appointment of members and Secretary of such Committee and in such a case a person who had vacated his office under clause (a) of sub-section (2) shall not be deemed to be disqualified for reappointment.

(4) The appropriate Government shall cause a copy of the notification issued under sub-section (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before each House of Parliament or before each House of the State Legislature, where it consists of two Houses or where such Legislature consists of one House, before that House, as the case may be, at the earliest.

Power of
Central
Government
to make rules

29. (1) The Central Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the amount of stipend or pension under clause (a) of sub-section (1) of section 5;

(b) the amount of *ex-gratia* grant or relief under clause (b) of sub-section (1) of section 5;

(c) the amount of *ex-gratia* grant or relief under sub-section (2) of section 5;

(d) the manner of providing medical and educational facilities under clause (b) of section 7;

(e) the other benefits to be provided under clause (f) of section 7;

(f) the manner of election of members of the Trustee Committee under clauses (b) and (c) of sub-section (1) of section 9;

(g) the periodical and annual reports to be sent under clause (f) of sub-section (2) of section 16;

(h) the form and the manner in which the annual statement of accounts and the annual report shall be prepared under sub-section (1) of section 18;

(i) the forms, registers and other records to be maintained under clause (8) of section 19;

(j) the rates of travelling and daily allowances payable to the Chairperson and the Members of the Trustee Committee under section 20;

(k) the form of appeal under sub-section (2) of section 21;

(l) the form in which application may be made for membership of the fund under sub-section (1) of section 22;

(m) determination of the annual subscription of senior working journalists or other senior non-journalist media employees under sub-section (4) of section 22;

(n) the principles in accordance with which the amount payable to a member of the fund be reduced under sub-section (11) of section 22;

(o) the rebate or deduction from the income-tax under section 25;

(p) power to summon witnesses and take evidence under clause (e) of section 27; and

(q) any other matter which is to be, or may be, prescribed.

30. Every rule made under this Act by the Central Government shall be laid as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive session aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Rules to be
laid before
Parliament.

STATEMENT OF OBJECTS AND REASONS

The importance of the media, both print and electronic, can never be exaggerated in democracy. The Bill seeks to establish a welfare fund for the benefit of working journalists and other non-journalist media employees; thus extending a comprehensive social security system to this segment of the society.

At present the Ministry of Information and Broadcasting has set up a Journalists Welfare Fund for providing one time *ex-gratia* relief of Rs. 1 lakh to the family of the journalists who suffer loss of life or permanent disability due to unnatural causes in the course of their duty. The Bill seeks to establish a substantial welfare scheme through the constitution of a Statutory Working Journalists and other Non-journalist Media Employees' Welfare Fund.

The Fund to be constituted in every State by the State Government and in Union Territory by the Central Government, shall be applied for the benefit and welfare of the Member working journalists and other non-journalist media employees through:—

- (a) stipends or pensions;
- (b) *ex-gratia* grant or relief on suffering any injury or disability;
- (c) *ex-gratia* grant or relief to a nominee or legal heir in the event of death on duty;
- (d) *ex-gratia* grant on hospitalisation or major surgical operation or in case of treatment for a major disease;
- (e) loans for any purpose which may contribute towards welfare of members and their families;
- (f) provision for medical and educational facilities;
- (g) provision for purchase of books or necessary electronic items;
- (h) construction and maintenance of common facilities for all; and
- (i) provision of such other benefits.

There is also a provision for Group Life Insurance.

The Fund shall be administered by a Trustee Committee which shall be a body corporate. The Fund shall receive grants from the State and the Central Governments, voluntary donations, fees and annual subscriptions from its members, etc. Every working journalist and every other non-journalist media employee shall be entitled to apply for membership of the Fund.

The Bill seeks to achieve the above objectives.

NEW DELHI;
February 27, 2002.

G. M. BANATWALLA.

PRESIDENT'S RECOMMENDATION UNDER ARTICLES 117 & 274 OF THE
CONSTITUTION

[Copy of letter No. 15/6/2002-Press, dated 16 April 2003 from Shri Ravi Shankar Prasad, Minister of State in the Ministry of Information and Broadcasting to the Secretary-General, Lok Sabha].

The President, having been informed of subject matter of the Working Journalists and other Non-Journalist Media Employees' Welfare Fund Bill, 2003 by Shri G.M. Banatwalla, M.P., recommends under articles 117(1) and 274(1) for introduction and under article 117(3) of the Constitution for consideration of the Bill by Lok Sabha.

FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to provide for the constitution of a 'Working Journalists and other Non-Journalist Media Employees Fund' in every State and Union Territory. The members of the Fund shall be paid stipends, pensions, relief amounts, *ex-gratia* grants and loans in accordance with clauses 5 and 6 of the Bill. Clause 7 involves expenditure on various items of such benefits like medical and educational facilities, purchase of books or necessary electronic items, provision of common facilities to members etc. The Central and State Governments are required to make contributions to the Fund under sub-clauses (3) and (4) of clause 3 of the Bill. Clause 7 provides for Group Life Insurance for members.

The aforesaid provisions are expected to involve a recurring expenditure of about one hundred crore rupees per annum and a non-recurring expenditure of about sixty lakh rupees.

MEMORANDUM OF DELEGATED LEGISLATION

The Bill seeks to empower the Central Government to make rules for carrying out the provisions of the Bill. In particular, the rules may provide for matters adumbrated in Clause 29 of the Bill which include the determination of stipends, pension relief and *ex-gratia* grants payable under the Act, the manner of providing medical and educational facilities and other benefits, the forms, registers and other records to be maintained, the determination of annual subscription from senior working journalists and other senior non-journalist, media employees, etc.

The delegated legislation is of a normal character.

BILL NO. 42 OF 2003

A Bill to provide for the establishment of a permanent Bench at Bhagalpur of the High Court at Patna.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the High Court at Patna (Establishment of a permanent Bench at Bhagalpur) Act, 2003.

Establishment of a permanent Bench at Bhagalpur of the High Court at Patna.

2. There shall be established a permanent Bench at Bhagalpur of the High Court at Patna and such number of judges of the High Court at Patna, being not less than three, as the Chief Justice of that High Court may from time to time nominate, shall sit at Bhagalpur in order to exercise the jurisdiction and power for the time being vested in the High Court at Patna in respect of cases arising in the districts of Bhagalpur, Monghyr, Begusarai, Lakhisarai, Khagariya, Khatihar, Purnea and Saharsa.

STATEMENT OF OBJECTS AND REASONS

For the people living in the North-Eastern region of Bihar, travelling to and from Patna, the principal seat of the High Court, is difficult, time consuming and expensive. The litigant public faces tremendous hardship in instituting, prosecuting and defending their cases in case of urgency at the far away seat of the High Court at Patna. As such they do not enjoy equal opportunity of securing justice from the High Court.

People have been demanding establishment of a permanent Bench at Bhagalpur of the High Court at Patna. It is the largest and fast growing city situated in the centre of the North-Eastern region of Bihar. It has all the infrastructure facilities needed for establishing a permanent Bench of the High Court. In order to meet the aspiration of people of that region it is necessary to set up a permanent Bench of the Patna High Court at Bhagalpur.

The Bill seeks to achieve the aforesaid objective.

NEW DELHI;
May 1, 2003.

SUBODH ROY.

BILL NO. 43 OF 2003

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Constitution (Amendment) Act, 2003.

Amendment
of the
Eighth
Schedule.

2. In the Eighth Schedule to the Constitution, entries 1 to 18 shall be re-numbered as 2 to 19 respectively and before entry 2 as so re-numbered, the entry "1. Angika" shall be inserted.

STATEMENT OF OBJECTS AND REASONS

'Angika' language of North-East Bihar is one of the oldest languages of the Country. It is spoken by more than fifty lakh people of 'Ang Pradesh' comprising the districts of Bhagalpur, Banka, B. Deoghar, Goddha, Munger, Khagaria, Jamui, Lakhisarai, Sekhpura, Purnia, Katihar, Saharsa, Kishanganj, Forbisdgunj, Begusarai, Madhepura and Supaul. Buddhist monks, who reached out to the countries of South-East Asia, Tibbet, China and Sri Lanka during the early period of our chronicled history, preached and conducted their discourses on Buddhist philosophy through the medium of Angika. It was also the medium of instruction in the ancient University of Vikramshila.

The Angika language has rich literature both in poetry and prose. One of the most monumental and popular works in Angika is, "BIHULA-BISHAHARI KATHA". Angika is being taught in all the elementary schools of the "Ang Pradesh". The University of Tilkamanjhi Bhagalpur University, Bhagalpur, Bihar has a separate department for teaching of Angika.

People of Ang Pradesh have been demanding inclusion of Angika in the Eighth Schedule to the Constitution of India so as to ensure growth and development of this language as in the case of other regional languages like Sindhi, Manipuri, Konkani and Nepali in consonance with the aspirations of the Angika speaking masses.

This Bill seeks to achieve the aforesaid objective.

NEW DELHI;
May 1, 2003.

SUBODH ROY.

BILL NO. 35 OF 2003

A Bill to provide for schemes and their implementation for the protection, benefit and welfare of farmers, for the establishment of the Corporation for Protection of Farmers and for matters connected therewith.

BE it enacted by Parliament in the Fifty-Fourth Year of the Republic of India as follows:—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Protection of Farmers Act, 2003.

(2) It extends to the whole of India.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) “Board” means the Board of Directors constituted under section 9;

(b) “Corporation” means the Corporation for Protection of Farmers established under section 3;

(c) “crop” means and includes all agricultural crops such as paddy, wheat, gram, barley, millet, corn, potato, pulses, sugar-cane, coconut, all types of fruits, all types of cotton and cotton seeds, and such other agricultural commodities which may be notified from time to time by the Central Government in the Official Gazette, and also includes seed as defined in the Seeds Act, 1966;

(d) "crop insurance" means and includes insurance against loss of crop due to natural calamity as also against loss suffered by a farmer on account of excess crop;

(e) "excess crop" means the crop where the return to the farmer is not reasonable as compared to its cost of production;

(f) "natural calamity" means and includes calamity due to drought, flood, hail, wind, cyclone, storm, frost, winterkill, lightening, fire, excessive or heavy rain, snow, wild life, insect infestation, plant disease, all kinds of violence and such other causes as may be prescribed;

(g) "prescribed" means prescribed by rules made under this Act;

(h) "State" means a State specified in the First Schedule of the Constitution of India and shall include a Union territory.

3. (1) With effect from such date as the Central Government may, by notification in the Official Gazette, specify in this behalf, the Central Government shall establish for the purposes of this Act, a corporation to be known as the Corporation for Protection of Farmers.

Establishment of Corporation for Protection of Farmers.

(2) The Corporation shall be a body corporate, having perpetual succession and common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and may sue and be sued under its name.

4. (1) The Corporation shall function for the protection, benefit and welfare of the farmers throughout the country and shall have all such powers, subject to the provisions of this Act and the rules made thereunder as may be necessary, incidental or conducive to the performance of its function.

Functions, powers and duties of Corporation.

(2) It shall be the duty of the Corporation,—

(a) to formulate and administer crop insurance scheme so as to compensate a farmer against loss due to natural calamity and loss on account of excess crop;

(b) to formulate and administer scheme to procure or arrange to procure excess crop;

(c) to formulate and administer scheme to provide interim relief to the farmer who has submitted his claim in connection with crop insurance; and

(d) to administer any scheme formulated by the Central Government and entrusted to the Corporation for the protection, benefit and welfare of the farmers.

5. (1) The crop insurance scheme or any other scheme under section 4 shall, *inter-alia*, provide for the following namely:—

Crop insurance scheme and other schemes under the Act.

(a) the terms and conditions of the scheme;

(b) the manner of determination of the loss suffered by a farmer and for full compensation for such loss under crop insurance;

(c) the extent to which any relief may be granted pursuant to any scheme formulated under clause (c) of sub-section (2) of section 4;

(d) procedure for and manner of payment.

(2) No farmers shall be liable to contribute towards the premium amount under crop insurance scheme and the premium amount shall be paid to the Corporation by the Central Government and the State Governments in such proportion as may be prescribed.

(3) The compensation amount under a scheme shall be paid to the farmers within two months of the receipt of the claim by the Corporation.

(4) Every scheme under section 4 shall be applicable to all farmers irrespective of the size of their land holding.

(5) The Corporation may reinsure its crop insurance scheme, in whole or in part, with any other insurer or insurers with the prior approval of the Central Government.

Capital of the Corporation.

6. (1) The initial capital of the Corporation to be contributed by Central Government shall be such amount not being less than five hundred crores as the Central Government may determine.

(2) The Central Government may, from time to time, increase the capital of the Corporation to such extent and in such manner and on such terms as it may determine.

Grants, donations, etc. to the Corporation.

7. (1) The Central Government shall give the Corporation such grant or grants as may be necessary or required to carry out the purposes of this Act.

(2) Every State Government shall give the Corporation an annual grant being an amount not less than in such proportion as may be prescribed under the Act.

(3) The Corporation may accept grants, donations, and gifts from any local authority or any individual or a body, whether incorporated or not, for all or any of the purposes of this Act.

Management of Corporation.
Constitution of Board of Directors.

8. The general management, superintendence and direction of the affairs and business of the Corporation shall vest in a Board of Directors.

9. (1) The Board of Directors of the Corporation shall consist of the following, namely:—

(a) Chairman;

(b) four persons to represent respectively by the Ministries of the Central Government dealing with food, agriculture, finance and cooperation;

(c) the Managing Director of the Life Insurance Corporation of India established under section 3 of the Life Insurance Act, 1956, *ex officio* member;

31 of 1956.

(d) the Controller of Insurance, if any, under the Ministry of Finance, *ex officio* member;

(e) one person each nominated by the Government of each State;

(f) three members of Parliament of whom two shall be members of the House of the People and one shall be a member of the Council of States duly elected by the members of the House of the People and the members of the Council of States, respectively;

(g) not more than two experts in matters concerning the working of the Corporation; and

(h) a Managing Director who shall be a person having at least five years experience of managing the affairs of one or more statutory corporation in the capacity of a Managing Director.

(2) The Chairman and all the directors of the Corporation, other than the directors referred to in clauses (c), (e) and (f) shall be nominated by the Central Government.

Powers and functions of Board of Directors.

10. (1) Subject to the provisions of this Act and any other law for the time being in force, the Board of Directors may exercise all such powers and do all such acts and things as may be exercised or carried out by the Corporation under this Act.

(2) The Board of Directors shall, in the discharge of its functions and in the exercise of its powers, be guided by such instructions on question of policy as may be given to it in writing by the Central Government.

(3) The Managing Director shall exercise such powers and perform such duties as the Board may entrust or delegate to him.

Bank account.

11. (1) The Corporation shall maintain such bank account or bank accounts with the Reserve Bank of India or such other bank as may be approved by the Central Government.

(2) The Bank account or accounts shall be operated by such directors or officers and in such manner as may be prescribed.

12. (1) The Corporation shall maintain proper books of accounts of its capital, liabilities, receipts, payments, income and expenditure in such form and in such manner as may be prescribed by the Central Government.

Accounts,
audit and
submission of
reports.

(2) The Corporation shall cause its accounts to be examined and audited annually by such auditor as may be appointed by the Central Government.

(3) The Corporation shall as soon as may be after the audit of its account submit to the Central Government the report of the auditors and a copy of the full and true statement of accounts as audited along with an annual report giving such details as may be prescribed.

(4) The Central Government shall, as soon as may be after the receipt of the reports and the audited statement of accounts under sub-section (3), cause them to be laid before both the Houses of Parliament.

13. (1) The provisions of this Act shall be in addition to and not in derogation of any other law for the time being applicable to crop insurance, excess crop or any other scheme or measure for the protection, benefit or welfare of the farmers

Application of
other laws to
provisions of
this Act and
Central Govt.
power to give
directions.

(2) The Central Government may give directions to a State Government as to carrying into execution of any scheme or measure mentioned in sub-section (1).

43 of 1961.

14. Notwithstanding anything contained in the Income-tax Act, 1961 or any other enactment for the time being in force relating to tax, profits or gains, the income accrued to the Corporation shall be exempted from taxation.

Exemption
from income-
tax.

43 of 1961.

15. Notwithstanding anything contained in the Income-tax Act, 1961, all voluntary donations made to the Corporation shall qualify for such rebate or deduction from the income-tax payable by the donee as may be prescribed.

Rebate or
deduction
from income-
tax payable
by donee.

16. (1) The Central Government may, by notification in the official Gazette, make rules to carry out the purposes of this Act.

Power to make
rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the term of office of, and the manner of filling casual vacancies among, and the other terms and conditions of appointment of, the directors of the Corporation;

(b) the additional functions which the Corporation may perform;

(c) the amount of the proportion of grant payable to the Corporation by a State under sub-section (2) of section 7;

(d) the manner in which the Corporation may invest its fund;

(e) the form of the books of accounts to be maintained by the Corporation and of the annual statement of accounts, balance sheet and reports to be prepared by the Corporation;

(f) the remuneration, fees and allowances payable to the members of the Board;

(g) the manner of operation of bank account or accounts;

(h) the rebate or deduction from the Income-tax under section 15; and

(i) any other matter which has to be or may be prescribed.

(3) Every rule made by the Central Government under this section, every scheme formulated under section 4 and any modification thereto shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if,

before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or the scheme or both Houses agree that the rule or the scheme should not be made, the rule or the scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or the scheme.

Power of Corporation to make regulations.

17. (1) The Corporation may, subject to the condition of previous publication and with the previous approval of the Central Government, by notification in the Official Gazette, make regulations not inconsistent with this Act and the rules made thereunder to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the powers and functions of the Corporation which may be delegated to the zonal managers who may be appointed by the Corporation;

(b) the method of recruitment of employees and agents of the Corporation and their terms and conditions of service;

(c) the conduct of business at the meetings of the Corporation;

(d) the manner in which and the interval within which the accounts of the various zonal offices, divisional offices and branch offices may be inspected and their accounts audited;

(e) the conditions subject to which any payment may be made by the Corporation;

(f) the matters necessary for efficient conduct of the affairs of the Corporation;

Power to remove difficulties.

18. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government, may by order not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of the period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

STATEMENT OF OBJECTS AND REASONS

Farmers are the back-bone of the Indian economy. They are, however, highly exposed to the vagaries of nature. Natural calamity like heavy rain, floods, cyclones, drought, etc. often reduce them to a state of extreme distress. The failure to get a reasonable price for the crop and the shortcomings of the State agencies in the procurement of crop also add to the distress of the farmers.

Indeed, both the Central and the State Governments spend crores of rupees every year in compensating the distressed farmers. Nevertheless, these ad-hoc measures often prove inadequate, generate all-round discontent and also fail to instil any sense of confidence in the farmers.

There is need to provide due security and protection to farmers. The Bill seeks to establish a Corporation for Protection of Farmers. While the Corporation is to function in general for the protection, benefit and welfare of the farmers, it shall be duty-bound to formulate a crop insurance scheme to compensate the farmers for loss suffered on account of both the natural calamity and excess crop, as also to formulate scheme to procure or arrange to procure excess crop. The Corporation may reinsure its crop insurance scheme, in whole or in part, with any other insurer or insurers with the prior approval of the Government.

The Central and the State Governments currently spend huge amounts by way of relief to the victims of natural calamity. The crop insurance scheme and other schemes for the protection, benefit and welfare of the farmers would utilise this huge public fund more effectively and economically and might even reduce the burden on the exchequer. The protection and security provided to the farmers would have a considerable and positive impact on the economic progress of the country.

Hence this Bill.

NEW DELHI;
November 1, 2002.

G. M. BANATWALLA.

PRESIDENT'S RECOMMENDATION UNDER ARTICLES 117 & 274
OF THE CONSTITUTION

[Copy of letter No. 12016/2/2002-Credit II, dated 28 April, 2003 from Shri Ajit Singh, Minister of Agriculture to the Secretary-General, Lok Sabha].

The President, having been informed about the subject matter of the Protection of Farmers Bill, 2003 by Shri G.M. Banatwalla, Member of Parliament, recommends the introduction under articles 117(1) & 274(1) and consideration of the Bill under article 117(3) of the Constitution in Lok Sabha.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of a Corporation for the Protection of Farmers. The initial capital of the Corporation will be contributed by the Central Government and under Clause 6 it shall be such amount not being less than five hundred crores as the Central Government may determine. Sub-clause (2) of Clause 6 provides that the Central Government may from time to time, increase the capital of the Corporation to such extent and in such manner and on such terms as it may determine. The Bill, therefore, if enacted will involve an initial non-recurring expenditure of not less than five hundred crores from the Consolidated Fund of India.

The recurring expenditure of the Corporation will be met from the funds of the Corporation. Nevertheless sub-clause (2) of Clause 5 requires the Central and State Governments to contribute towards the premium amount under crop insurance scheme in such proportion as may be prescribed. Further, sub-clause (1) of Clause 7 provides that the Central Government shall give the Corporation such grant or grants as may be necessary or required to carry out the purposes of this Bill. Considering the enormity of the functions and duties entrusted to the Corporation under Clause 4, the amount of such grant or grants and the expenditure is not ascertainable at this stage.

Sub-clause (2) of Clause 7 provides that every State Government shall give the Corporation an annual grant being an amount not less than in such proportion as may be prescribed under the Bill. The State Governments are also required to contribute towards crop insurance premium under sub-clause (2) of Clause 5. All these will involve recurring expenditure from the Consolidated Funds of the respective States.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 16 of the Bill empowers the Central Government to make rules to carry out the purposes of this Act.

Clause 17 provides for making of regulations by the Corporation subject to the condition of previous publication and with the previous approval of the Central Government.

Clause 18 empowers the Central Government to remove any difficulty arising in giving effect to the provisions of the Bill by an order not inconsistent with the Act. No such order shall be made after the expiry of the period of two years from the commencement of the Act and every such order is required to be laid before the Parliament.

All these powers delegated to the Central Government and the Corporation relate to matters of detail and are of a normal character.

BILL NO. 45 OF 2003

A Bill further to amend the Constitution (Scheduled Castes) Order, 1950.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Scheduled Castes) Order (Amendment) Act, 2003. Short title

2. In the Schedule to the Constitution (Scheduled Castes) Order, 1950, in Part IX.—Madhya Pradesh, Amendment
of the
Schedule.

(a) in entry 14, the words, “Ramnami, Satnami, Surjyabanshi” shall be omitted.

(b) after entry 45, the following entry shall be inserted, namely:—

“45A. Satnami, Ramnami, Surjyabanshi.”

STATEMENT OF OBJECTS AND REASONS

Indian society has many sects. One of these sects is 'Satnami' sect which has a glorious past. Sant Baba Guru Ghasidas ji was the founder of this sect. He protested against the evils prevalent in the society and laid emphasised on maintaining peace in the society. He struggled for elimination of any type of discrimination prevalent in the society. At present, there are about one crore and ten lakh followers of this sect living in various parts of the country. The majority of the followers of the 'Satnami' sect belong to Ramnami and Surjyabanshi castes. They mainly reside in the States of Chhattisgarh and Madhya Pradesh. These castes have been included in the list of Scheduled Castes Order under Part IX.—Madhya Pradesh in entry 14 alongwith other castes, although they are not related with these castes. The inclusion of these castes in one entry with other castes has created a feeling of humiliation among them as they are the followers of a different sect. Therefore, the followers of Satnami sect with the names like Satnami, Ramnami and Surjyabanshi should be included in a separate entry '45A' in the list of Scheduled Castes and all the benefits presently being provided to these castes under the Constitution should also be continued. The Government of Chhattisgarh has also sent its proposals to the Central Government for placing these castes in a separate entry in the list of Scheduled Castes Order, 1950. The Bill accordingly seeks to amend the Constitution (Scheduled Castes) Order, 1950.

NEW DELHI;
May 5, 2003.

P. R. KHUNTE.

G. C. MALHOTRA,
Secretary-General.